

# State of Maine Procurement Justification Form

This form must accompany all contract requests and sole source requisitions (RQS) over \$5,000 submitted to the Division of Procurement Services.

INSTRUCTIONS: Please provide the requested information in the white spaces below. All responses (except signatures) must be typed; no hand-written forms will be accepted. See the guidance document posted with this form on the Division of Procurement Services website (Forms page) for additional instructions.

PART I: OVERVIEW				
Department Office/Division/Program:		Marine Resources/Biological Assessment/		
Department Contract Administrator or Grant Coordinator:		Kevin Staples – Marjorie Morrisette		
(If applicable) Department Reference #:				
Amount: (Contract/Amendment/Grant)	\$8,500.00	Advantage CT / RQS #:	13A 20220211000000000921	
CONTRACT	Proposed Start Date:	3/1/2022	Proposed End Date:	6/1/2022
AMENDMENT	Original Start Date:		Effective Date:	
	Previous End Date:		New End Date:	
GRANT	Project Start Date:		Grant Start Date:	
	Project End Date:		Grant End Date:	
Vendor/Provider/Grantee Name, City, State:		Brooks Incorporated, Thomaston, ME		
Brief Description of Goods/Services/Grant:		Federally-compliant manufactured 'weak' link		

PART II: JUSTIFICATION FOR VENDOR SELECTION			
Mark an "X" before the justification(s) that applies to this request. (Check all that apply.)			
	A. Competitive Process		G. Grant
	B. Amendment		H. State Statute/Agency Directed
X	C. Single Source/Unique Vendor		I. Federal Agency Directed
	D. Proprietary/Copyright/Patents		J. Willing and Qualified
	E. Emergency		K. Client Choice
	F. University Cooperative Project		L. Other Authorization

PART III: SUPPLEMENTAL INFORMATION	
Please respond to ALL of the following:	
<b>1. Provide a more detailed description and explain the need for the goods, services or grant to supplement the response in Part I.</b>	
<p>This weak link is one of the first commercially sold federally-approved weak links specifically designed for integration within vertical buoys lines within lobster gear to be available for purchase. On May 1<sup>st</sup>, 2022, pot and trap fishermen will be required to fish rope that is either comprised of fully 'weak' (maximum breaking strength of 1700 lbf) rope or vertical lines with 1-2 'weak' insertions of rope or other mechanism (such as this weak link) to legally fish in federal waters. These new gear regulations are aimed to reduce the harmful interactions between pot and trap fishing gear and endangered whales, specifically the North Atlantic right whale.</p>	

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## PART III: SUPPLEMENTAL INFORMATION

Commercially available options to comply with this rapidly approaching deadline are incredibly scarce. SeaSide Inc. produces a different link that is currently the only other weak link of its kind that is to be widely available for fishermen to use that meet these requirements. This purchase of the Brooks Incorporated weak link is meant to further incentivize commercial production of weak links for Maine fishermen to utilize and to provide fishermen the opportunity to test as many options as possible in advance of the implementation date.

### 2. Provide a brief justification for the selected vendor to supplement the response in Part II.

The selected vendor has developed a weak link design and received federal approval, only the second of its kind. This weak link purchase is designed to encourage rapid production to allow Maine fishermen to retrofit their gear in an affordable manner by the implementation date. The other commercially available weak link (SeaSide Inc.) can only produce 3,000 units per week, whereas Brooks Incorporated may produce up to 20,000 units per week. The goal of this purchase is to ensure Maine fishermen have weak links available in advance of the implementation date, regardless of source, until funds from grants earmarked for this purpose are exhausted.

### 3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.

The per unit cost of these links are identical to costs the only other approved weak link from SeaSide Inc., \$1.00 per unit.

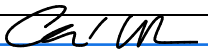
### 4. Describe the plan for future competition for the goods or services.

Future purchases similar to this one may be made to assist in providing fishermen with immediate options in advance of the implantation date for the new gear regulations. This may include a SeaSide Inc. weak link with a larger inside diameter (13/16"). DMR is aware of at least one other plastics manufacturer (Plante Buoy Sticks) that intends to bring a compliant product to market. DMR will continue to explore options to provide support to ensure Maine fishermen have affordable options to comply with federal regulations required to fish in 2022.

## PART IV: APPROVALS

**Signature of requesting  
Department's Commissioner  
(or designee):**

*By signing below, I signify that I approve of this procurement request.*

  
JD UD (Feb 24, 2022 13:26 EST)


**Printed Name:**

Carl Wilson, BMS Director

**Date:**

Feb 24, 2022

**Signature of DAFS  
Procurement Official:**

DocuSigned by:  


**Printed Name:**

2D5B6E39F57E44A...  
William J.E. Allen

**Date:**

2/28/2022

NOI 0220220178 02/28/2022 - 03/06/2022






# 20220222.BrooksIncorporated.Justification

Final Audit Report

2022-02-24

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